

FILED

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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

BY:

DEPUTY

UNITED STATES OF AMERICA,

Case No. **'11 MJ 9362**

Plaintiff,

COMPLAINT FOR VIOLATION OF

v.

Title 18, U.S.C., Sections
1945(h) and 1956(a)(1)(A)(I)
Conspiracy To Launder Money

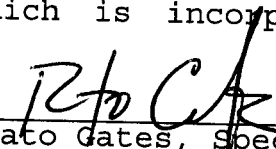
RICARDO ROSALES-RAFAEL,

Defendant.

The undersigned complainant being duly sworn states:

Beginning at a date unknown and continuing up to and including August 25, 2011, within the Southern District of California, and elsewhere, defendant RICARDO ROSALES-RAFAEL, did knowingly and intentionally conspire with others to conduct financial transactions affecting interstate commerce, during the time frame of the conspiracy, which involved the proceeds of a specified unlawful activity, with the intent to promote the carrying on of the specified unlawful activity and that while conducting and attempting to conduct such financial transactions knew that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(A)(I) and 1956(h).

And the complainant states this complaint is based on the attached Statement of Facts which is incorporated herein by reference.


Renato Gates, Special Agent
Homeland Security Investigations

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS 13TH DAY
OF SEPTEMBER 2011.


HON. PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

DA 9/13/11

1 UNITED STATES OF AMERICA

2 v.

3 Ricardo ROSALES-Rafael

4 STATEMENT OF FACTS

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6 This complaint is based on the reports, interviews, and notes
7 prepared by Homeland Security Investigations (HSI) Special Agent
8 Renato Gates.

9 On August 25, 2011, HSI Special Agents (SA) executed federal
10 search and seizure warrant at Baja Bikes located at 361 W. 2nd
11 Street, Calexico, California. HSI Agents discovered that a
12 clandestine international tunnel was being constructed at the site.
13 HSI Agents collected evidence pursuant to the search warrant.

14 SA Gates noticed tools and equipment used in the construction
15 of the clandestine tunnel. SA Gates discovered a Ditch Witch
16 Horizontal Directional Drilling (HDD) machine, alignment tools,
17 level tripod, jack hammer, various drills and drill bits, electric
18 saws, fork lift, hydraulic lift, 2 craftsman air compressors, 2
19 craftsman tool boxes and other hand tools.
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21 On August 31, 2011, SA Gates inventoried evidence collected at
22 Baja Bikes. During the inventory, SA Gates discovered the name
23 Ricardo ROSALES with the address and store name of Baja Bikes was
24 found on Wells Fargo correspondence, shipment boxes and other mail.
25 SA Gates noticed four (4) large Sears Craftsman equipment boxes
26 listing Ricardo ROSALES as the purchaser of the merchandize. Two
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1 (2) of the Craftsman boxes were for large tool boxes and the other
2 two (2) boxes were for air compressors.

3 SA Gates and SA Robert Fisher conducted an interview of Linda
4 Barrientos of Linda Realty. Barrientos stated she leased the
5 property located at 361 W. 2nd Street to Ricardo ROSALES, who
6 identified himself to her through California Driver's license
7 number B6327464. ROSALES signed a lease agreement for the building
8 for a term beginning December 1, 2011 through November 30, 2013 for
9 a payment of \$10,000 per month. Barrientos stated ROSALES paid the
10 rent in full every month, by a Wells Fargo check, and in person.
11

12 SA Gates reviewed the lease agreement and noticed it listed
13 Ricardo ROSALES-Rafael as the tenant and was accompanied by
14 ROSALES' signature. SA Gates reviewed the checks provided by
15 ROSALES to Barrientos for monthly payment. The checks were issued
16 by Wells Fargo to Baja Bikes, 361 W. 2nd Street, Calexico, CA and
17 signed by Ricardo ROSALES.
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19 On September 12, 2011, SA Gates and SA Fisher interviewed
20 ROSALES. ROSALES was advised of his rights, per Miranda, and
21 stated he understood his rights and was willing to answer questions
22 without the presence on an attorney. ROSALES stated that in
23 November of 2010 he was approached by his son-in-law with the plan
24 to open up a business for the purpose of laundering money. ROSALES
25 agreed to receive bulk cash. He believed came from either
26 trafficking in weapons or drugs. ROSALES received the money in
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1 Mexico and brought the money into the United States to invest in
2 the Baja Bikes business he set up to aid in laundering money.
3 ROSALES stated he received approximately \$100,000 of illicit funds
4 in Mexico and deposited it into a Wells Fargo account he opened
5 specifically for the Baja Bike business and to launder money.
6 ROSALES stated he used the illicit funds to purchase approximately
7 25-30 motorcycles, and re-deposited the money from the sale of the
8 motorcycles into the Baja Bikes Wells Fargo account. ROSALES stated
9 he leased 361 W. 2nd Street, in Calexico, signed the lease
10 agreement, and paid the \$10,000 rent every month. ROSALES paid all
11 the monthly utilities at Baja Bikes. ROSALES stated he purchased
12 most of the equipment used at the Baja Bikes location such as the
13 saws, jack hammer, drills, air compressors, tool boxes, and various
14 other tools. ROSALES stated he knew he was involved in committing
15 illegal activity.
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